

CHAPTER 79

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 20-1062

BY REPRESENTATIVE(S) McLachlan, Arndt, Baisley, Bird, Buckner, Buentello, Caraveo, Carver, Cutter, Duran, Froelich, Garnett, Geitner, Gonzales-Gutierrez, Gray, Herod, Holtorf, Kipp, Lontine, McCluskie, Melton, Michaelson Jenet, Mullica, Roberts, Saine, Singer, Sirota, Snyder, Soper, Sullivan, Titone, Valdez A., Valdez D., Van Winkle, Weissman, Williams D., Woodrow, Young;  
also SENATOR(S) Lee and Coram, Bridges, Cooke, Crowder, Gardner, Ginal, Gonzales, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Smallwood, Sonnenberg, Story, Tate, Todd, Woodward, Zenzinger, Garcia.

AN ACT

CONCERNING CLARIFICATIONS TO THE COLORADO STUDENT FREE EXPRESSION LAW.

Be it enacted by the General Assembly of the State of Colorado:

**SECTION 1.** In Colorado Revised Statutes, 22-1-120, **amend** (1); and **add** (9) as follows:

**22-1-120. Rights of free expression for public school students.** (1) The general assembly declares that students of the public schools ~~shall~~ have the right to exercise freedom of speech and of the press, and no expression contained in a student publication, WHETHER PRINTED, BROADCAST, OR ONLINE, AND whether or not such publication is school-sponsored, ~~shall be~~ is subject to prior restraint except for the types of expression described in subsection (3) of this section. ~~This section shall not prevent the advisor from encouraging expression which is~~ AN ADVISOR MAY ENCOURAGE EXPRESSION consistent with high standards of English and journalism.

(9) A PUBLIC SCHOOL EMPLOYEE MUST NOT BE DISMISSED, SUSPENDED, DISCIPLINED, REASSIGNED, TRANSFERRED, OR OTHERWISE RETALIATED AGAINST SOLELY FOR ACTING TO PROTECT A STUDENT ENGAGED IN THE CONDUCT AUTHORIZED PURSUANT TO THIS SECTION OR FOR REFUSING TO INFRINGE UPON CONDUCT THAT IS PROTECTED BY THIS SECTION OR THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION.

**SECTION 2. Act subject to petition - effective date.** This act takes effect at

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 24, 2020